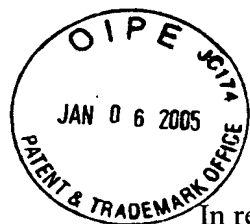


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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of

Thomas Huenig

Serial No. : 10/049,464

Examiner: Ilia I. Ouspenski

Filed : June 18, 2002

Group Art Unit: 1644

Title : USE OF CD28 SPECIFIC MONOCLONAL ANTIBODIES FOR  
PRODUCING A PHARMACUTICAL COMPOSITION FOR  
TREATING VIRUS INFECTIONS

**RESPONSE TO RESTRICTION REQUIREMENT**

**Mail Stop: Non-Fee Amendment**

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Sir:

In response to the Restriction Requirement dated December 9, 2004, Applicants hereby elect with traverse Group II, Claims 12-15 drawn to a method for treating virus infections with a composition containing an anti-CD28 antibody and one or two reverse transcriptase inhibitors and one or two protease inhibitors. For the reverse transcriptase inhibitor, Applicants elect A) AZT, and for the protease inhibitor, H) RTV.

All the claims in the application involve related subject matter, e.g., anti-CD-28 antibody. A search would therefore comprise overlapping subject matter, and it would not be an undue burden on the examiner to carry out a search. "If search and examination of an entire application can be made without serious burden, the examiner *must* examine it on the merits, even though it includes claims to independent or distinct invention." (Emphasis added.) M.P.E.P. 803. Accordingly, withdrawal of the restriction is respectfully requested.

§Appl. No. 10/049,464  
Amdt. dated January 6, 2005  
Reply to Office Action of, December 9, 2004

The Commissioner is hereby authorized to charge any fees associated with this response or credit any overpayment to Deposit Account No. 13-3402.

Respectfully submitted,



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Richard M. Lebovitz, Reg. No. 37,067  
Attorney for Applicant(s)

MILLEN, WHITE, ZELANO  
& BRANIGAN, P.C.  
Arlington Courthouse Plaza 1, Suite 1400  
2200 Clarendon Boulevard  
Arlington, Virginia 22201  
Telephone: (703) 243-6333  
Facsimile: (703) 243-6410

**Attorney Docket No.: ALBRE-0023**

**Date: January 6, 2005**